
Emergency Rules

Title 15—ELECTED OFFICIALS Division 40—State Auditor Chapter 3—Rules Applying to Political Subdivisions

EMERGENCY RESCISSION

15 CSR 40-3.120 Calculation and Revision of Property Tax Rates.

This rule applied to all political subdivisions and was designed to implement section 137.073, RSMo as it applied to revising property tax rates.

PURPOSE: The State Auditor's Office is proposing to rescind this rule and promulgate four (4) new rules to implement the procedures of Senate Bill No. 960, 92nd General Assembly—2004 amending section 137.073.6, RSMo as it applies to calculating and revision property tax rates and to comply with provisions of Article X, Section 22 of the Missouri Constitution. Emergency rules 15 CSR 40-3.130, 15 CSR 40-3.140, 15 CSR 40-3.150, and 15 CSR 40-3.160, will replace 15 CSR 40-3.120. These new rules set forth the forum to be used in making the calculation of property tax rates.

EMERGENCY STATEMENT: The Missouri State Auditor's Office finds a compelling governmental interest in rescinding this rule and establishing an early effective date for the emergency rules 15 CSR 40-3.130, 15 CSR 40-3.140, 15 CSR 40-3.150, and 15 CSR 40-3.160 in order to implement the statutory requirements of section 137.073, RSMo as enacted by Senate Bill No. 960, 92nd General Assembly—2004, amending section 137.073.6, RSMo with regard to procedures for calculating and revising property tax rates. The scope of the emergency rescission is limited to circumstances creating the emergency and complies with the protection extended in the Missouri and United States Constitutions. The State Auditor's Office believes this emergency rescission is fair to all interested parties affected by the circumstances. This emergency rescission preserves the compelling governmental interest of applying constitutional provisions requiring tax rates to yield the same gross revenue, adjusted for changes in the general price level, as collected in the prior year, as required in Article X, Section 22 of the Missouri Constitution, by the expeditious implementation of procedures for calculation of the tax rate levy. This emergency rescission filed September 24, 2004, effective October 4, 2004, expires April 1, 2005.

AUTHORITY: section 137.073.6, RSMo Supp. 1999. A version of this rule was previously filed as 15 CSR 40-3.100 and 15 CSR 40-3.110. Emergency rule filed July 14, 2000, effective July 24, 2000, expired Feb. 22, 2004. Original rule filed July 14, 2000, effective Feb. 28, 2001. Emergency rescission filed Sept. 24, 2004, effective Oct. 4, 2004, expires April 1, 2005. An emergency rescission covering this same material, will be published in the Nov. 1, 2004 issue of the Missouri Register.